

# Directive

9070.6

10/05/00

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**REPORTING VIOLATIONS OF**  
**THE U. S. GRAIN STANDARDS ACT AND**  
**THE AGRICULTURAL MARKETING ACT OF 1946**

**1. PURPOSE**

This directive establishes procedures for reporting violations of provisions in the U.S. Grain Standards Act (USGSA), the Agricultural Marketing Act of 1946 (AMA), and the regulations and instructions thereunder. These programs are administered by the Federal Grain Inspection Service (FGIS), a program area within the Grain Inspection, Packers and Stockyards Administration (GIPSA).

**2. REPLACEMENT HIGHLIGHTS**

This directive replaces Directive 9070.6, dated 1/08/98, by updating the attachment page to reflect the Office of the Inspector General (OIG) regional office realignment and makes other non-substantive editorial changes.

**3. POLICY**

In accordance with Departmental Regulation 1700-2, AOIG Organization and Procedures,@ dated June 17, 1997, agency heads are responsible for action that ensures the enforcement of laws, Department regulations, and agency instructions. In addition, agency heads are responsible for issuing guidelines requiring that known or suspected violations of laws or regulations are expeditiously reported to OIG.

Moreover, section 800.185(g) of the regulations under the USGSA and section 868.8 of the regulations under the AMA require that violations of existing statutes, regulations, or instructions be promptly reported.

**4. REPORTING VIOLATIONS**

- a. Program Activities. Violations pertaining to program related matters (e.g., sampling, grading, weighing, testing, etc.) shall be reported as follows:

- (1) Licensed personnel shall immediately report USGSA or AMA violations to their supervisor or to the FGIS field office responsible for that geographical area. Licensees who know or suspect that their supervisor(s) are violating provisions, or believe that their supervisor(s) will suppress or ignore their violation report, shall call the Compliance Division **TOLL-FREE** at **1-800-998-FGIS (3447)** or (202) 720-8536. The toll-free number can be accessed 24 hours a day, 7 days a week.
  - (2) Agency managers who receive reports or have knowledge about violations shall immediately notify the FGIS field office responsible for that geographical area.
  - (3) FGIS field employees shall immediately report violations to their respective field offices.
  - (4) FGIS headquarters personnel and employees at the Technical Services Division shall report violations to the Compliance Division (CP).
  - (5) FGIS field office managers shall:
    - (a) Report violation(s) to the CP-s, Regulatory Branch.
    - (b) Provide details concerning the violation(s).
    - (c) Advise official personnel that the incident should be kept confidential. However, depending on the nature of the violation(s), it may be appropriate to discuss the matter with officials from the Federal Bureau of Investigation (FBI), the Animal and Plant Health Inspection Service (APHIS), or OIG.
- b. Bribes. Bribery includes the offering, giving, receiving, or soliciting of anything of value to influence official personnel and shall be reported as follows:
- (1) FGIS and Agency personnel who are offered a bribe or believe that a bribe was offered to, solicited by, or accepted by another FGIS or Agency).

employee shall report this information directly to OIG. These report(s) should be made to the appropriate OIG Special Agent-In-Charge (see attachment) for the geographical area where the offer was made during normal business hours (8:00 a.m. to 5:00 p.m. - Monday through Friday). However, during weekend, holidays, or after business hours, official personnel shall direct calls to **OIG Bribery/Assault Line** at **(202) 720-7257**. OIG will accept collect calls.

- (2) Official personnel reporting bribery or attempted bribery shall follow OIG's instructions concerning the matter. Do not disclose any information regarding the incident to anyone without approval from OIG or FBI.
- (3) Form FGIS-110, **Reporting Alleged or Suspected Bribery Attempts to the Office of Inspector General**, shall be made available to all official personnel.

- c. Assaults. An assault includes any verbal or physical attack committed against official personnel while he or she is performing duties in accordance with provisions set forth in the USGSA or AMA. Official personnel shall report such incidents to their local law enforcement agency and to the appropriate OIG Special Agent-In-Charge (see attachment) for the geographical area where the offense took place.

Official personnel who encounter incidents of intimidation, opposition, resistance, harassment, or interference by interested parties during service delivery shall notify their respective agency and field office manager. Depending on the circumstances, contacting the appropriate OIG Special Agent-In-Charge for guidance may also be prudent.

- d. Conduct or Other Incidents. Misconduct or other incidents shall be reported as follows:

- (1) FGIS employee misconduct matters should be reported directly to the Marketing and Regulatory Program, Human Resources, APHIS, Employee and Management Relations Branch at **(301) 734-8863**.

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- (2) Official personnel should report violations that affect the integrity of any USDA program to OIG's Whistle Blower Hotline at **(800) 424-9121**. Management reprisal against whistle blowers is prohibited by law.
- (3) Any conduct or incidents involving official personnel that could create the appearance of a loss of impartiality or adversely affect the public's confidence in FGIS services shall be reported in accordance with this directive.

/S/ Neil E. Porter

Neil E. Porter, Director  
Compliance Division

Attachment

**OFFICE OF INSPECTOR GENERAL  
BRIBERY/ASSAULT HOTLINE**

(202) 720-7257

**WHISTLE BLOWER HOTLINE**

(800) 424-9121

690-1622

(202) 690-1622

(202) 690-1202

(Toll free)

FTS

Washington, D.C.

Telecommunications Device for the Deaf

**OIG INVESTIGATIONS:**

P.O. Box 23399, Washington, D.C. 20026

**OIG REGIONAL OFFICES**

<b>REGION &amp; AREA COVERED</b>	<b>ADDRESS</b>	<b>TELEPHONE FAX</b>
<b><u>NORTHEAST</u></b> Connecticut, Maine, Vermont, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island,	26 Federal Plaza, Room 1409 <b>New York, NY 10278-0004</b>	Phone: (212) 264-8400 Fax: (212) 264-8416
<b><u>MIDATLANTIC</u></b> Delaware, District of Columbia, Maryland, North Carolina, Pennsylvania, Virginia, West Virginia	Suite 2-2230 5601 Sunnyside Ave. <b>Beltsville, MD 20705-5300</b>	Phone: (301) 504-2000 Fax: (301) 504-2025
<b><u>SOUTHEAST</u></b> Alabama, Florida, Georgia, Puerto Rico, South Carolina, Tennessee, Virgin Islands	Room 2329 401 W. Peachtree St., NW <b>Atlanta, GA 30365-3520</b>	Phone: (404) 730-3170 Fax: (404) 730-3181
<b><u>MIDWEST</u></b> Illinois (Northern District), Indiana, Kentucky, Michigan, Ohio, Wisconsin (Eastern District)	Suite 1130 111 N. Canal St. <b>Chicago, IL 60606-7295</b>	Phone: (312) 353-1358 Fax: (312) 353-8963
<b><u>SOUTHWEST</u></b> Arizona, Arkansas, Louisiana, Mississippi, Nevada (Las Vegas, Clark County), New Mexico, Oklahoma, Texas	Room 311 101 South Main <b>Temple, TX 76501</b>	Phone: (254) 743-6535 Fax: (254) 298-1358
<b><u>GREAT PLAINS</u></b> Illinois (Southern District), Iowa, Colorado, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, Wyoming, Wisconsin (Western District), Utah	8930 Ward Parkway, Suite 3016 <b>Kansas City, Missouri 64114</b>	Phone: (816) 926-7606 Fax: (816) 926-7699
<b><u>WESTERN</u></b> Alaska, California, Hawaii, Idaho, Nevada, Oregon, Washington, Trust Territories of the Pacific, Territory of Guam	Suite 200 75 Hawthorne St. <b>San Francisco, CA 94105-3920</b>	Phone: (415) 744-2887 Fax: (415) 744-2896

United States Department of Agriculture  
Grain Inspection, Packers and Stockyards Administration  
Federal Grain Inspection Service

# Issuance Change

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**CHANGE TO**

X DIRECTIVE

9MANUAL

9HANDBOOK

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CHANGE NO.	TO	TITLE:	DATE:
1	9070.6	Reporting Violations of the U.S. Grain Standards Act and the Agricultural Marketing Act of 1946	06/21/01
PURPOSE OF CHANGE			

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This issuance change transmits a revised page updating the telephone and address list of the Office of Inspector General's (OIG) Regional Offices, and their respective coverage areas (states and territories).

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**FILING INSTRUCTIONS**

Remove

Dated

Insert

Dated

Attachment

10/05/00

Attachment

06/21/01

Neil E. Porter, Director  
Compliance Division

United States Department of Agriculture  
Grain Inspection, Packers and Stockyards Administration  
Federal Grain Inspection Service

# Issuance Change

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**CHANGE TO**☒ **DIRECTIVE**☐ **MANUAL**☐ **HANDBOOK**

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CHANGE NO.	TO (NO.)	TITLE	DATE:
2	9070.6	Reporting Violations of the U.S. Grain Standards Act and the Agricultural Marketing Act	12-20-2002

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**PURPOSE OF CHANGE**

This issuance change transmits a revised attachment which updates the Office of the Inspector General's Great Plains Regional Office's address, telephone and fax numbers.

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**FILING INSTRUCTIONS**

Remove

Dated

Insert

Dated

Attachment

06/21/01

Attachment

12/20/02

/s/ Neil E. Porter, Director  
Compliance Division